



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of Discrimination
against Women**
Twenty-second session

Summary record of the 453rd meeting

Held at Headquarters, New York, on Monday, 24 January 2000, at 3 p.m.

Chairperson: Ms. González

later: Ms. Ouedraogo (Vice-Chairperson)

later: Ms. González (Chairperson)

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

Initial report of India (continued)
(CEDAW/C/IND/1)

1. *At the invitation of the Chairperson, Ms. Aggarwal (India) took a place at the Committee table.*

Article 2 (continued)

2. **Ms. Aouij** said that although India's Constitution had been one of the first to embody the principle of women's equality, the Government's policy of non-interference in the personal affairs of any community without its initiative and consent tended to perpetuate traditional forms of discrimination against women. The power of the religious communities to determine the civil status laws that governed their members resulted in inequality before the law not only between women and men but also between the women of different communities. The principle of non-interference also made the Committee's task more difficult, since its interlocutor on civil status discrimination was necessarily the State, and yet the State disclaimed responsibility. The Government should at least encourage the different communities to take equality initiatives.

3. Since it appeared that the Supreme Court of India was playing an active role in defending the rights of women, she would appreciate more detailed information on how it functioned. In particular, she would like to know whether its decisions had the force of law, whether there were women judges on the Court and whether the Court was in contact with the National Commission for Women and non-governmental organizations. Information would be appreciated on any action taken by the legislature or the administration as a result of the Court's directives and on the response of the religious communities to the directive on the need for a uniform civil code.

4. The State party should also clarify whether the new family courts applied the civil status laws of the respective religious communities and, in particular, whether the shariah of the Muslim community was interpreted by religious or civil magistrates.

Article 3

5. **Ms. Ryel** said that the Committee needed more detailed information on the functions and activities of the National Commission for Women. She wondered whether the state commissions for women had a corresponding power to review state legislation and fulfilled a corresponding ombudsman function and whether they coordinated with the National Commission. She was interested to know how the National Commission handled individual cases of violations of women's rights and, specifically, whether any such cases had in fact been brought and on what grounds, whether they had been resolved and, if so, whether they had resulted in sanctions or compensation. Such cases could be valuable for revealing problems endemic in society. She hoped that the National Commission for Women had the human resources to deal with individual cases free of charge and to publicize its services. In view of women's special need for legal aid and for information on their legal rights, the National Commission for Women might consider developing initiatives in that area.

6. **Ms. Ouedraogo** said that she had found the historical perspective given in the report under article 3 very interesting. She endorsed the request for more specific information on the functions and programmes of the National Commission for Women. In its next report, the State party should also include far more detail on the objectives of the draft national policy for the empowerment of women and the women's component of the current five-year plan.

7. **Ms. Schöpp-Schilling** emphasized the importance of an institutional mechanism like the National Commission for Women and the need to provide it with adequate funding and with lines of communication to other government bodies. She too would like more information on the relationship between the National Commission and the state commissions for women. It would be interesting to know whether a correlation had been observed between the existence of state commissions and actual improvements in the states that had them, and whether the Government planned to encourage states that had not yet done so to set up such commissions.

8. With regard to the ninth five-year plan (1997-2002), the State party should clarify whether it was voluntary or mandatory for government ministries to budget a women's component of 33 per cent and, if

mandatory, whether there was a monitoring mechanism to ensure that resources were actually allocated. The percentage seemed low, given that women constituted roughly half the population and were lagging behind in many areas, notably education. In the next report, the Committee would be looking for information on the impact of the five-year plan. It would, in general, appreciate more detailed reporting on the results of the initiatives taken, for example, on the number of women actually reached by a given programme.

9. **Ms. Kim Yung-chung** asked for more information on the Commission's mandate to take up individual cases of discrimination. With regard to the legal literacy component of the Total Literacy Campaign, she would like to know whether any efforts were being made to reach disadvantaged or marginalized groups of women, such as *dalid* women.

10. **Ms. Corti** noted that the National Commission for Women appeared to have considerable power to propose legislation. She asked whether it had developed any comprehensive gender-based policies to deal with the feminization of poverty, including specific policies for helping vulnerable groups such as *dalid* women or women who had recently moved from the countryside to the city and were at risk of becoming prostitutes.

11. **Ms. Ferrer** congratulated the State party on the significant progress made in the advancement of women and commended the report's frankness about the problems encountered in a society composed of many races, religions and cultures. She noted that every year, the Indian Parliament considered a report on the recommendations of the National Commission for Women; she would appreciate a fuller description of that process and of the results to date. She would like to know what the prospects were for approval of the draft national policy for the empowerment of women and what provisions it contained for addressing the problems of the country's poorest women.

12. Since the factors deterring women from seeking legal redress were well understood and some programmes to address the problem were in place, she would be interested to know what progress had been made. With respect to the ninth five-year plan (1997-2002), she would like to hear more about the strategy of transferring control of the social infrastructure in the public sphere to women's groups and about training programmes designed to facilitate that strategy.

Article 4

13. **Ms. Schöpp-Schilling** said that she was pleased that the Constitution of India allowed for positive discrimination in favour of women. She applauded the law reserving one third of elected seats in local government bodies for women, but hoped that the Government was allocating sufficient resources to train the large numbers of women who would be taking up their new responsibilities without prior experience. She understood that a bill had been introduced in December 1999 setting aside one third of seats in the national Parliament for women; she would appreciate information on the chances of its passage and on the measures which the Government was taking to support it.

Article 5

14. **Ms. Ouedraogo** commended the Government of India for its legislative initiatives and awareness-raising campaigns to combat cultural stereotypes, but noted that overcoming the traditional, patriarchal mindset that allowed such practices as dowry, child marriage, rape of girls and burning of widows to persist was a long-term project requiring a sustained effort. What was needed was a comprehensive national strategy encompassing not only awareness-raising, publicity and training programmes on a national scale but also the mobilization of public opinion makers from all walks of life.

15. **Ms. Cartwright** noted that laws punishing violence against women were clearly not enough. There was an urgent need for public education programmes to make the general public recognize that such violence was completely unacceptable and for programmes to train the health workers, police personnel and judicial officers who dealt with victims. The creation of all-female police stations and the recruitment of women prison guards were innovative approaches, but not the whole answer. In the longer term, policies for the selection and prior training of police officers and prison guards should be implemented in order to enhance the professionalism of the force as a whole. She would be interested to know whether the laws prohibiting violence by police officers and prison guards were regularly enforced and whether statistics demonstrated an improvement in that area.

16. **Ms. Kim Yung-chung** said that the community mobilization strategy being applied in dealing with gender stereotyping was very innovative. Recalling the considerable importance in India of the media and the film industry, she asked for more information on the numbers of women working in those sectors, particularly in policy-making positions, and on whether the media in India were helping to promote positive images of women.

17. **Ms. Khan** said that the Government needed to make far greater efforts, using a multi-pronged approach, in order to bring about changes with regard to the caste system. Although “untouchability” had officially been abolished, in practice it persisted and it resulted in numerous atrocities. She wondered whether the scope of current legislation was sufficient to deal with such atrocities and to protect lower-caste women, and what steps had been taken to investigate atrocities and prosecute those responsible. She requested further information on affirmative action programmes and on the number of women belonging to the *dalid* (“untouchable”) caste and other minorities who had benefited from them.

18. In its oral presentation, the State party had mentioned the existence of residential homes for victims of sexual exploitation. She asked whether such homes were only for victims of trafficking and prostitution or whether they could also be used by *dalid* women who had been subjected to atrocities. She also asked what the literacy rate was among *dalid* women, what proportion of *dalid* women in rural areas were employed in the formal agricultural sector and what their average wages were by comparison with those earned by non-*dalid* women.

19. The Government should take stronger measures to eliminate the practice of “untouchability”, particularly the phenomenon of bonded slavery. The relevant legislative texts should be translated into all local languages and made available in all local courts and police stations. Non-governmental organizations and human rights activists should be encouraged to participate in related monitoring activities.

20. Detailed information should be provided on the number of cases of atrocities against *dalid* women which had been investigated successfully, the measures taken as a result and any compensation paid to the victims. She also requested more information on traditional practices related to the dowry, particularly

cases where death, psychological damage and other harm had resulted, and on the measures being taken to enforce the relevant legislation.

21. The Government should also specify what measures had been taken to publicize the Convention and publish it in local languages.

22. **Ms. Ferrer**, recalling that the report mentioned the activities of fundamentalist groups which were a threat to the advancement of women, requested information on recent developments in that regard and on any measures taken by the Government against such groups.

23. Paragraph 122 of the report mentioned a four-year gender training project. Further information should be given regarding the content of that project, the levels of government concerned, the results achieved and whether it was still being implemented. The same paragraph referred to a National Resource Centre for Women; she requested further details on its functions and on its relationship with national mechanisms.

Article 6

24. **Ms. Manalo** said that the Government should provide more information on measures relating to issues such as sex tourism, recruitment of domestic employees from developing to developed countries and “mail-order brides”. The report also failed to discuss the problems of violence and discrimination against women in the context of armed conflict and to indicate what measures were being taken to deal with those problems.

25. The Government should provide information on what was being done to tackle the traditional practice of temple prostitution. The report also failed to describe what was being done to combat sexual harassment in the workplace. More information should be provided on the measures being taken to monitor and combat the problem of trafficking of women for purposes of prostitution, such as data collection, preventive measures and prosecution. It was alarming that when the victims of such trafficking were “rescued”, they were often incarcerated, particularly if they were infected with HIV/AIDS.

26. **Ms. Khan** expressed concern at the serious problems affecting women in the context of armed conflicts in various parts of India. Conflict situations

could lead to a wide range of human rights violations, including restriction of movement, custodial violence, arbitrary arrest and detention, forced prostitution, sexual assault and rape. Access to legal redress was especially difficult for women in areas affected by armed conflict. In particular, she wished to know whether the Government was taking steps to review legislation in several regions, which resulted in women's human rights being violated as reported by independent sources; whether any data were being collected at the state or federal level on sexual and other forms of violence suffered by women in situations of armed conflict; and what rehabilitation programmes there were to help women and children affected by such situations.

27. The Government should seriously consider taking steps to enable women to participate in all national activities related to armed conflict, especially conflict resolution mechanisms, and to integrate a gender perspective in armed forces training programmes. It should also take strong measures to investigate and punish members of the armed forces and security forces suspected of violating women's rights in areas of armed conflict.

28. **Ms. Goonesekere** emphasized that forced marriage and cross-border trafficking in women in areas of armed conflict were two of the most critical instances of trafficking in women in many countries. Monitoring and access by women to legal redress were of critical importance in such situations because they could have a preventive effect. She asked what mechanisms existed in India for investigating instances of human rights violations such as custodial violence, gang rape or forced prostitution, and what role was played by the Human Rights Commission and the National Commission for Women.

29. As for the problem of cross-border trafficking in women, there was evidence that such trafficking took the form of trafficking in marriage; false marriages were involved in some cases. A system of registration of marriages at the local level was urgently needed. In the context of trafficking, the State party should explain what was meant by "corrective treatment" and "corrective institutions"; more information should also be provided as to what was being done about the problem of forced prostitution.

30. **Ms. Schöpp-Schilling** agreed with the remarks made by other members of the Committee regarding

forced prostitution, particularly in relation to *dalid* women. Recalling that other treaty bodies had also commented on that issue, she wondered what impact such expressions of concern had had on the Government of India.

Article 7

31. **Ms. Corti** congratulated the State party on the constitutional amendments setting aside one third of all local government seats for women. She wondered what was the current status of the proposed constitutional amendment providing for a similar quota for women in the national Parliament and in state legislatures. She asked for more information on the relationship between the National Commission for Women and women parliamentarians, how sensitive the latter were to gender mainstreaming issues, what lobbying mechanisms existed in that connection, and whether there was a women's equality commission in the national Parliament to promote common positions on the advancement of women among the representatives of different political parties. She requested information on the relationship between parliamentarians and non-governmental organizations and asked what political role such organizations played in practice.

32. **Ms. Ryel** wished to know more about the numbers of women involved in politics. The Committee had been informed that there were nine women in the Cabinet and that 8 to 9 per cent of members of Parliament were women, but those figures would be more meaningful if the Committee also knew how many Cabinet members there were in all and how many women there were in Parliament.

33. She commended the policy of setting aside one third of seats in local government for women, as that proportion seemed to be the critical mass required for an under-represented group to make themselves heard. The next step towards achieving a 50/50 ratio might be to have a gender-neutral policy of setting aside at least 40 per cent of seats for representatives of each sex. She asked for information on the strategy used to implement the policy and whether there was a similar quota for political parties, whether funding was available to sponsor women candidates and whether a campaign had been launched to encourage voters to vote for women. If women were elected to less than one third of seats, did the other seats revert to male candidates?

34. **Ms. Myakayaka-Manzini** commended the Indian Government for the constitutional measures taken to ensure women's participation in local government, which were an important milestone in the promotion of equality between men and women and would in the long term ensure that women participated fully in the decision-making process at all levels. As India was such a vast country, she would welcome information on whether the quota policy was being implemented in all states and on the electoral system used. Some systems were more likely to attract greater participation by women.

35. The number of women parliamentarians had been decreasing in recent years, which might be one of the reasons why a bill had been introduced to ensure that women occupied one third of seats in the national Parliament. She would like to know why that amendment had not yet been passed, what stage it had reached and what the Government and the women's movement were doing to ensure that it did pass. Women's participation at the national level was certainly not a new phenomenon in India; women had been very active in bringing democracy to the country and it was very important that they maintain their role in political life.

36. Reference had been made to training for women who had entered the political process. She would like to know what was being done to encourage women who were not involved in politics to enter that process and to break through the patriarchal, religious and cultural barriers to women's political participation. She asked whether any lower-caste women participated in political life and, if not, what was being done to include them.

37. Turning to women in the civil service, she wished to know at what levels they were employed and whether they were able to have any impact on government policy.

38. **Ms. Feng Cui** welcomed the constitutional amendments introducing a quota for women in local government and asked what organization was monitoring implementation of the quota and to whom it reported. Without monitoring, implementation would be very difficult.

Article 8

39. **Ms. Gabr** said that the report shed light on many important matters but was not very precise about women's participation in international organizations. She welcomed the repeal of the constitutional provision which discriminated against women in the Indian foreign service. The report stated that there were 63 women in the Indian Foreign Service and the oral report had indicated that they accounted for 12.3 per cent of all Foreign Service staff. She would welcome specific figures on women in high-level diplomatic posts.

40. She also requested information about women's participation in non-governmental organizations.

Article 10

41. **Ms. Acar** requested information on the results of the work of the 22 centres for women's studies at Indian universities and asked whether any universities had incorporated gender studies and women's studies into the regular curriculum, irrespective of the field of study. She also asked whether the women's studies centres had the power to confer degrees, what percentage of university teaching staff were women, what levels of the academic hierarchy they had reached and what percentage of all university students were women.

42. It would also be useful to know what percentage of women in India had completed higher education. That would give a clearer picture of the extent of higher education opportunities for women.

43. **Ms. Kim Yung-chung** said that the Committee had been informed that education was currently allocated 3.8 per cent of the national budget. That was less than the 6 per cent target set by the Indian Government at the Fourth World Conference on Women. Given the urgent need to make education compulsory, reduce the high drop-out rate and increase literacy, she hoped that education would be given the necessary budgetary priority. In view of current economic constraints, she asked whether there was sufficient political will to pursue the Government's education policy.

44. She wished to know more about women graduates and their job opportunities and also how many women were working in medicine, given the urgent need for women doctors in rural areas. She wondered whether

women doctors were only given opportunities to work in urban areas. Lastly, she asked what women university graduates thought about the caste system in India and what action, if any, they were taking in that regard.

45. *Ms. Ouedraogo, Vice-Chairperson, took the Chair.*

46. **Ms. Schöpp-Schilling** welcomed the Supreme Court ruling whereby free and compulsory education was a fundamental right. She commended the universal early childhood education programme which, although not yet universal, did seem to be targeting the underprivileged population. However, more specific statistics, disaggregated by state, were needed on the education of girls aged 5 to 14.

47. She was concerned that the commitment made in Beijing with regard to spending on education, while not legally binding, had still not been implemented. It was not clear whether there had been any increase in the education budget since 1995 and there might even have been a decrease. She asked whether there was a time frame for implementation of the Beijing commitment.

48. The low rate of school attendance by girls, which was 55 per cent for girls aged 5 to 15, was a massive problem in India. If female illiteracy rates remained high, the objectives of the ninth five-year plan (1997-2002) relating to women's empowerment could not be attained. She requested that more specific education data from the national and state governments be provided at the current session or in India's next report.

49. It would be useful to review why some states were doing much better than others with regard to the education of girls and young women; she wondered whether that was a question of political will or resources. She asked what the national Government was doing to help the poorer states. In view of the Supreme Court ruling on free and compulsory education, she wondered whether any concerted national and/or state efforts were being made to build more schools and provide the necessary infrastructure.

50. She enquired about the causes of teacher absenteeism and asked to what extent education for girls aged 5 to 14 was in fact free in all states and union territories. She asked what proportion of scholarships were awarded to girls and how they were linked to the number of years of schooling completed, as mentioned in the oral report. Lastly, she emphasized

the need for the Government of India to allocate more financial resources to raising the educational level of its female population.

51. *Ms. González, Chairperson, resumed the Chair.*

Article 11

52. **Ms. Corti**, quoting paragraph 178 of the report, expressed surprise that the Indian Constitution did not recognize the right to work as a fundamental right. That meant that, whatever other laws might apply, the argument could always be made that economic development took precedence over the exercise of certain rights. She asked how the growing unemployment among women could be prevented, particularly in times of crisis.

53. She asked what steps were being taken, and by whom, to prevent subjective interpretations of the Equal Remuneration Act. Competent authorities and advisory committees had been appointed to monitor the Act's implementation but she wondered whether such monitoring consisted simply of the production of annual reports and how the authorities could ensure that the Act was not violated.

54. According to the report, the majority of women workers were to be found in rural areas and were employed mainly in agriculture. In urban areas, some 80 per cent of working women were employed in non-organized sectors, such as household industries, petty trades and services, construction, etc. She asked what measures were being taken to combat the expansion of the non-organized sector and whether there were any laws or other protections relating to female domestic workers. For instance, was there a limit on the number of hours worked per week, were the relevant International Labour Organization (ILO) Conventions being observed and was there any social insurance for women domestic workers?

55. **Ms. Khan** noted that women's rate of economic participation in India, which was only 28 per cent, was low compared to other South Asian countries, including Bangladesh. Various measures had been taken to increase women's access to education and training in order to improve their access to employment, but it was not clear when the different measures had begun; she would like some information as to their impact thus far.

56. The process of globalization and economic liberalization which had begun in 1991 had led to a reduction in investments in the public sector, with adverse consequences for women. Public spending had dropped from 7.5 per cent of the gross domestic product (GDP) in 1989-1990 to 6 per cent in 1995-1996, and over the same period, investments in education by state governments and the central Government had declined from 3.14 per cent to 2.80 per cent, despite the commitment made in Beijing to allocate 6 per cent of GDP to education. In agriculture, the shift towards industrialization had been accompanied by a decline in exports, a loss of livelihood for many women and a decline in the per capita food grain available to the population, which had had an impact on health and nutrition.

57. The liberalization process had brought about a meagre 2.6 per cent increase in total employment in the organized sector, but employment in the agricultural sector had declined. As a result, more women were seeking employment in the non-organized sector, in areas such as domestic employment where wages were lower and there was less protection. She asked whether the minimum wage was applicable in the non-organized sector and whether any effort had been made to extend it to domestic workers and to small businesses in villages and towns.

58. Child labour was a major problem in many Asian countries and she wished to know whether the Government had taken any measures to eliminate it. In Bangladesh, child labour had been successfully eliminated in the garment industry with the help of the Harkins Bill. She wondered whether any such effort had been made in India, which was a signatory to the Convention on the Rights of the Child. Children often worked in very dangerous occupations, such as glass-making and carpet weaving.

59. Lastly, she was surprised and concerned at the low percentage of women in the civil service. She asked whether there was any plan to introduce a quota for employment in the civil service in order to improve access for women.

60. **Ms. Schöpp-Schilling** asked whether under the ninth five-year plan (1997-2002), efforts would be made to improve the implementation of ILO Conventions to ensure the protection of women workers in India. She wished to know whether the tripartite labour board for women recommended by the

National Commission for Women had already been established, how many women were represented on it and whether its composition was determined by gender quotas. The State party should indicate whether rural women in the agricultural and informal sectors were entitled to maternity benefits and were aware of that right, the amount of such benefits and the budget set aside for that purpose. She enquired about government mechanisms to enforce the prohibition on *dalid* women working as scavengers and in construction jobs; the report gave no information in that regard. Turning to the issue of bonded labour, she requested information on government mechanisms to enforce the minimum wage in order to prevent indebtedness. She would also appreciate information on the conditions of women's work in export zones and would particularly like to know whether such conditions conformed to ILO standards.

Article 12

61. **Ms. Abaka** commended the State party on having signed the 1978 Alma-Ata Declaration on health for all by the year 2000 and on having launched a national health policy as early as 1983. She expressed concern, however, at the blatant gender inequalities in access to health care in India, both within and between states. She would appreciate clarification of the State party's concept of holistic health reform. Referring to paragraph 221, she noted that the maternal mortality rate in India was among the highest in the world and asked whether the Government was taking any special measures to address that situation. She expressed surprise that, in the same paragraph, malaria, a cause of miscarriages, low birth weight and premature delivery, was not included among the leading causes of maternal death. She wondered whether any studies had been carried out in that regard and felt that the issue should be addressed in the State party's holistic health programme.

62. The report gave no information on occupational and environmental health, even though a large proportion of Indian women worked in the agricultural sector and were exposed to pesticides and other dangerous chemicals. Nor did it discuss the mental health of Indian women, who were often subject to the stress of monotonous jobs and had to contend with a host of problems. The State party should discuss the effect of cultural practices, violence against women and malnutrition of girls on the overall mental health of

women. It should also describe the impact of tobacco consumption and of chewing the *pan masala* leaf on the health of women, particularly pregnant women.

63. She pointed to gross discrimination against women in the area of family planning, particularly the failure to involve men in the choice and use of contraception. Echoing earlier praise for the 1994 Prenatal Diagnostic Techniques Act, she stressed the importance of implementing its provisions, if necessary, with the help of India's very active Medical Association, in view of the countless illegal abortions taking place in India and the steady decline in the female population. It would be extremely useful to know whether the Government was privatizing the health sector and what effect that had on the poor, especially women. She enquired about the incidence of cancer among women and any early detection facilities available throughout the country. Lastly, she emphasized that, under the Convention, the State party was responsible for guaranteeing equal protection to women in the public and private sectors; it must therefore ensure that paternity leave was introduced in the private sector.

64. **Ms. Khan** also enquired about the enforcement of the Prenatal Diagnostic Techniques Act to address the decline in the female population. In that connection, she strongly recommended advocacy to build awareness of the dangers of allowing the female population to decline because of a preference for sons, since that was sure to result in a dearth of wives and teachers later on.

65. **Ms. Feng Cui** asked whether early marriage and child abuse were addressed in the State party's National Plan of Action for the Girl Child. She would appreciate an explanation of the linkage between the Plan of Action and India's draft national policy for the empowerment of women, which also focused on the girl child.

Article 14

66. **Ms. Ouedraogo** commended the State party on its discussion of article 14, although the report did not cover all the items under that article in order. It would be interesting to know whether rural women had a say in the design of the various programmes benefiting them. The report contained no information on housing policy as it related to women. The State party should describe changing mentalities with regard to property

ownership by women, particularly ownership of land and businesses. She enquired about the number of women heads of family businesses and whether they derived the same profits as men. It would have been interesting to see a breakdown of rural women's work by activity other than agriculture, for example, textiles and crafts. Health coverage for rural women seemed to be adequate, although a large proportion of births were unattended. She welcomed the State party's system of quotas for women in local government bodies (paras. 321-326) and hoped that the initiative would be pursued.

Article 16

67. **Ms. Khan** said that, despite constitutional guarantees of equality and proclamations of secularism, the persistence of religious and customary law in India, particularly with regard to family relations, was discriminatory. She deplored the Government's declaratory statements with regard to paragraphs 1 and 2 of article 16 and the fact that the personal laws of minority groups could be amended only at the request of those groups, which, in reality, meant at the request of male religious leaders. She wondered how minority women could make their voices heard and whether the National Commission for Women was taking any initiatives in that regard. She also wondered whether the National Commission was keeping abreast of reforms in areas such as maintenance and divorce in other countries, particularly Muslim countries. Lastly, she wished to know whether the laxity in registering marriages, which was highly detrimental to women in, *inter alia*, maintenance and custody disputes, was rooted in religious values.

68. **Ms. Goonesekere** reiterated the need, in a country as vast as India, to establish a uniform normative framework in keeping with the Convention through the enactment of separate laws for separate areas. She echoed the importance of marriage registration, not only for establishing a minimum age of marriage but also for enforcing all legislation relating to marital relations. She expressed grave concern that Indian family law, particularly its provisions on protection of widows, inheritance rights, patriarchal residence, marital rape, restitution of the husband's conjugal rights and secular adoption, contradicted and undermined the equality embodied in the Constitution and in court jurisprudence. The situation cried out for government intervention in order

to establish strong central laws as an alternative to customary laws, which communities could still opt to follow.

69. **Ms. Aouij** asked whether polygamy was permitted in any of the minority communities and stressed that registration of marriages was the only way to monitor the phenomenon.

70. **The Chairperson**, speaking in her personal capacity, expressed support for the comments made by Committee members, particularly in respect of family relations, and for the earlier statements made by Ms. Acar and by Ms. Cartwright concerning articles 2 and 5, respectively, of the Convention.

The meeting rose at 5.50 p.m.